

1 Thomas

2 Q. When you go for the therapy, what
3 do they do for you?

4 A. Okay. They put my hand in -- four
5 times, my palm in a special water. They
6 have -- benadine (sic)or something like that
7 inside. Then they have a piece of paper. You
8 put it. They cover it and then they cover it
9 with towels, my hand and then they put -- for
10 fifteen minutes, electrical. They put the
11 wires like the doctor examine your heart and
12 stuff like that and then when they finish they
13 do massage.

14 Q. How long does this usually last?

15 A. Fifteen, twenty minutes.

16 Q. Other than that, is there anything
17 else at therapy that they do?

18 A. No. Only this.

19 Q. When they do that, does that do
20 anything for you?

21 A. No. They -- I sign that I was
22 there.

23 Q. Does it offer you any relief? Does
24 it help you with your arm?

A. Well, it helps a little bit, but it

1 Thomas

2 starts -- you know, the damage is there.

3 MR. WHITTON: Move to strike the
4 non-responsive portions.

5 Q. Let me ask you presently, what pain
6 or problems do you have with your right arm and
7 hand?

8 A. I'll tell you. For instance, I
9 cannot pick up a plate. It falls from my
10 hands. I cannot -- for instance, my blouse I'm
11 wearing it. I cannot take it out. The pain
12 comes from here (indicating).

13 Q. From your shoulder down to your
14 arm?

15 A. Yes. It kills me. A lot of pain.
16 I cannot clean anything in the house. I clean
17 with the left hand, but it's not the same.

18 Q. Besides you cleaning with your left
19 hand, do you have people that come in to clean
20 your house?

21 A. No.

22 Q. Did you do the cooking before this
23 accident?

24 A. Of course.

25 Q. Do you still do the cooking?

Thomas

A. With the left hand sometimes.

3 Q. With your left hand, right?

4 A. With the left hand or we order
5 sometimes.

6 Q. The other household things like
7 laundry and stuff like that, do you take care
8 of that still?

9 A. The laundry, my neighbor, they were
10 helping me, but not anymore. My son goes down
11 with the clothes and stuff like that. The
12 laundry is downstairs in the lobby.

13 Q. Your son that lives with you?

14 A. Yes.

15 Q. Tony?

16 A. Yes. My son or my husband.

17 Q. So they help out with the laundry
18 now?

19 A. Yes.

20 Q. For all of the various medical
21 treatment and physical therapy, have you or
22 your husband had to pay any of that?

23 A. No. I have insurance.

24 Q. Other than the Ecotrin I think you
25 said you buy, other than that, have you had to

3 A. For the pain?

4 Q. For anything related to your arm.

5 A. No. No.

6 Q. The cast that was on your arm, how
7 long did it stay on?

8 A. Two months by Dr. Kyriakides. He
9 took out the St. Luke's cast. He didn't like
10 it.

11 Q. He took it off after two months?

12 A. No. No. When I went to him --

13 Dr. Kyriakides he didn't like the cast that the
14 hospital did for me.

15 Q. He took that one off and put a
16 different one on?

17 A. Yes. Very good.

Q. It was also the same type of --

19 A. Yes. White.

20 Q. -- white, hard cast?

21 A. Yes.

Q. And that stayed on for two months?

23 A. Yes.

24 Q. Did Dr. Kyriakides explain to you
25 why you needed the cast on?

1 Thomas

2 A. Yes because maybe it was broken.

3 Something broken. Who knows? He knows
4 everything. He wrote, you know -- he writes
5 everything.

6 Q. I appreciate that part, but all I'm
7 asking is what you remember he said and if you
8 don't remember, you tell me.

9 A. Yes. They destroyed your hand
10 permanently.

11 Q. The cast, did you have to have a
12 sling, as well?

13 A. Yes.

14 Q. A cloth sling to hold it?

15 A. Yes.

Q. That was also on for two months?

17 A. No. Sometimes I take it out. It
18 gets dirty or something like that and I put it
19 back again.

20 Q. When the cast came off after two
21 months, did you have to wear anything else on
22 your arm?

23 A. No.

24 Q. As you sit here today --

25 A. Therapy only.

1 Thomas

2 Q. As you sit here today, are you
3 wearing anything on your arm or your hand?

4 A. No. No (indicating). Nothing.

5 Q. Other than what you have already
6 told me about the cooking and the cleaning and
7 holding things, are there any other things that
8 you used to do that you either can't do now or
9 have difficulty doing?

10 A. Yes.

11 Q. Other than what you told me?

12 A. Yes.

13 Q. What else?

14 A. Like for instance, I cannot go in
15 the shelves of the kitchen to get a cup or a
16 glass. I use this hand (indicating).

17 Q. You have to use your left hand
18 instead of your right hand?

19 A. They're going to fall down.

20 Q. You use your left hand?

21 A. Yes. No right hand. The left
22 hand.

23 MR. WHITTON: Off the record.

24 (Discussion held off the record.)

25 Q. Have you ever seen any pictures of

1 Thomas

2 the place where the accident happened?

3 A. No. No.

4 Q. Other than your attorneys, I don't
5 want to know what you said to your attorneys,
6 has anyone else ever spoken to you about what
7 happened, that they had knowledge about what
8 happened?

A. No. I don't say -- talk about it.

10 Q. Has Dr. Kyriakides told you how
11 long the therapy is going to last into the
12 future?

13 A. Not really, but I have the paper.
14 It's almost -- long time.

15 Q. Has he indicated to you another
16 month, another six months, another year, has he
17 told you how long?

18 A. I find out when I go at the end of
19 the month to see him.

20 MR. WHITTON: I will follow up in
21 writing to ask for a fresh
22 authorization.

23 Q. Other than what you already told
24 me, has Dr. Kyriakides explained anything else
25 to you about your shoulder, arm, hand problems?

1 Thomas

2 A. Yes. He told me it's permanent
3 damage.

4 Q. Anything else other than what you
5 told me?

6 A. No.

7 Q. Other than Dr. Kyriakides and the
8 therapist, St. Luke's Hospital, Elmhurst
9 Hospital and your family doctors, have you seen
10 or been treated at any other hospital, clinic
11 or physician?

12 A. Who, my family?

13 MR. SEARS: No. You.

14 Q. For your shoulder, arm and hand?

15 A. No. No. Only Dr. Kyriakides.

16 Q. So Dr. Kyriakides and we know about
17 the therapist with him, right?

18 A. That's it.

19 Q. And we know Elmhurst and St. Luke's
20 Hospitals, right?

21 A. Yes.

22 Q. And we know that you have discussed
23 with your family doctor a little bit?

24 A little bit, but they don't care

25 2 Other than those doctors and other

6 A. No.

7 O. -- and hand?

8 A. No. Never.

9 Q. Have you ever been involved in a
10 lawsuit before this lawsuit?

11 A. NO.

12 Q. Does your husband work or is he
13 retired?

14 A. He's retired.

15 (Continued on next page to include
16 jurat.)

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84

1 Thomas

2 Q. What did he do?

3 A. He used to be fixing computers
4 years ago and real estate, but now the real
5 estate is not that good. He stays at home.
6 He's seventy-five.

7 MR. WHITTON: Mrs. Thomas, thank
8 you very much.

9 I have no further questions.

10 THE WITNESS: Thank you.

11 Thank you very much.

15 ~~Anna Thomas~~
16 ANNA THOMAS

17
18 Subscribed and sworn to before me
19 this 6th day of May , 2008.

20 Henry V. O.
NOTARY PUBLIC

22 Notary Public, State of New York
Qualified in Nassau County
No 01KO4988070
23 Commission Expires Feb 10, 20

24

1

2

3

I N D E X

4

5 EXAMINATION BY PAGE

6 MR. WHITTON 5

7

8

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PAGE

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13 Fresh authorization for Dr. Kyriakides 60

14

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25

1

2 C E R T I F I C A T E

3

4 STATE OF NEW YORK)
5 : SS.:
5 COUNTY OF SUFFOLK)

6

7

8 I, LINDA ARSENICOS, a Notary Public for
9 and within the State of New York, do hereby
10 certify:

11 That the witness whose examination is
12 hereinbefore set forth was duly sworn and that
13 such examination is a true record of the
14 testimony given by that witness.

15 I further certify that I am not related
16 to any of the parties to this action by blood
17 or by marriage and that I am in no way
18 interested in the outcome of this matter.

19 IN WITNESS WHEREOF, I have hereunto set
20 my hand this 8th day of April, 2008.

21

22

23

24

25

Linda Arsenicos
LINDA ARSENICOS

ERRATA SHEET

Plaintiff(s):

Defendant(s):

DATE:

NAME OF WITNESS:

SIGNATURE:

Subscribed and sworn to before me
this _____ day of _____, 2008.

NOTARY PUBLIC

BSA

04/04/08

AS VS CIRCUIT CITY STORES WI**: ANNA THOMAS**

Look-See(1)

Look-See Concordance Report

UNIQUE WORDS: 840
 TOTAL OCCURRENCES: 2,539
 NOISE WORDS: 384
 TOTAL WORDS IN FILE: 8,724

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BSA

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IAS vs CIRCUIT CITY STORES W/

ANNA THOMAS

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